

Hearing Officer Transmittal Checklist

Hearing Date

02/03/2015

Agenda Item No.

9

Project Number: R2014-02292-(5)
Case(s): Conditional Use Permit Case No. 201400102
Environmental Assessment Case No. 201400179
Planner: Kristina Kulczycki

- ☒ Project Summary
- ☒ Property Location Map
- ☒ Staff Analysis
- ☐ Draft Resolution / Draft Ordinance / 8.5x11 Map (ZC or PA)
- ☒ Draft Findings
- ☒ Draft Conditions
- ☒ Burden of Proof Statement(s)
- ☐ Environmental Documentation (ND / MND / EIR)
- ☒ Correspondence
- ☒ Photographs
- ☐ Aerial Image(s)
- ☒ Land Use/Zoning Map
- ☐ Tentative Tract / Parcel Map
- ☒ Site Plan / Floor Plans / Elevations
- ☐ Exhibit Map
- ☐ Landscaping Plans

Reviewed By: 



Department of Regional Planning
320 West Temple Street
Los Angeles, California 90012

PROJECT NUMBER

R2014-02292-(5)

HEARING DATE

February 3, 2015

REQUESTED ENTITLEMENTS

Conditional Use Permit No. 201400102

Environmental Assessment No. 201400179

PROJECT SUMMARY

OWNER / APPLICANT

Ritz Center Inc. / Jae Seob Kim

MAP/EXHIBIT DATE

September 22, 2014

PROJECT OVERVIEW

The applicant is requesting a Conditional Use Permit (CUP) to authorize the sale of beer and wine for on-site consumption (Type 41) within an existing restaurant. The "Tofu Love Restaurant" is located within a commercial plaza in the southeastern tenant space.

LOCATION

3115 Foothill Boulevard, Unit "O," La Crescenta

ACCESS

Foothill Boulevard

ASSESSORS PARCEL NUMBER(S)

5802-010-005 and 5802-010-006

SITE AREA

1.11 Acres

GENERAL PLAN / LOCAL PLAN

General Plan

ZONED DISTRICT

Montrose

LAND USE DESIGNATION

C – Major Commercial

ZONE

C-1 (Restricted Business)

PROPOSED UNITS

N/A

MAX DENSITY/UNITS

N/A

COMMUNITY STANDARDS DISTRICT

La Crescenta-Montrose, Foothill Blvd. West Town Area

ENVIRONMENTAL DETERMINATION (CEQA)

Class 1 Categorical Exemption – Existing Facilities

KEY ISSUES

- Satisfaction of the following Section(s) of Title 22 of the Los Angeles County Code:
 - 22.56.040 (Conditional Use Permit Burden of Proof Requirements)
 - 22.56.195 (Alcoholic Beverage Control Burden of Proof Requirements)

CASE PLANNER:

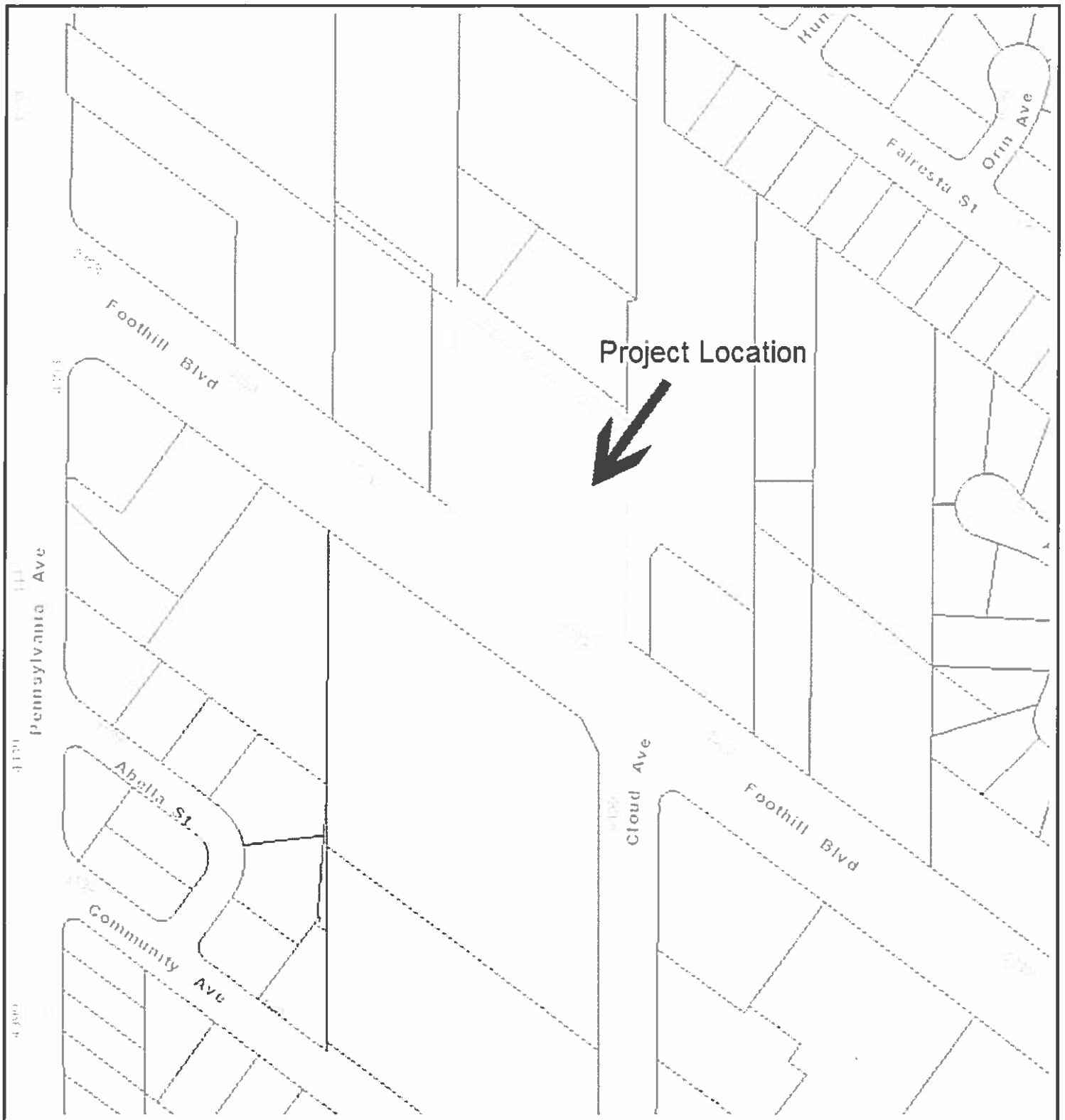
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RCUP 201400102

R2014-02292

Printed: Aug 14, 2014



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ENTITLEMENTS REQUESTED

- Conditional Use Permit ("CUP") for the sale of beer and wine for on-site consumption within an existing restaurant in the C-1 (Restricted Business) zone pursuant to County Code section 22.28.110.

PROJECT DESCRIPTION

The applicant is requesting a CUP to authorize the sale of beer and wine for on-site consumption (Type 41) within an existing restaurant. No alcohol is currently sold on the premises. The alcohol sales are proposed between 11:00 a.m. and 10:00 p.m.

SITE PLAN DESCRIPTION

The subject property is 1.11 acres in size and is developed with a multi-tenant commercial center accessible from Foothill Boulevard to the south and an easement to the west of the project site. The subject restaurant, "Tofu Love," is located in the southeastern tenant space. Most of the parking is provided within the parking lot between the commercial building and Foothill Boulevard. There are also several covered parking spaces underneath the subject tenant space.

EXISTING ZONING

The subject property is zoned C-1 (Restricted Business) and is located within the La Crescenta-Montrose Community Standards District ("CSD") in the Foothill Boulevard West Town Area.

Surrounding properties are zoned as follows:

- North: R-1 (Single-Family Residence) and R-3 (Limited Multiple Residence)
South: R-2 (Two-Family Residence), C-1, C-3-BE (Unlimited Commercial-Billboard Exclusion), and M-1-DP-U/C-BE (Light Manufacturing-Development Program-Unilateral Contract-Billboard Exclusion)
East: R-1, R-2, R-3, and C-1
West: C-1 and the City of Glendale

EXISTING LAND USES

The subject property is developed with a multi-tenant commercial center.

Surrounding properties are developed as follows:

- North: Single-family and multi-family residential
South: Single-family residential, multi-family residential, retail, a self-service storage facility, a gas station, a towing yard, and a preschool
East: Single-family residential, multi-family residential, retail, and offices
West: Retail, offices, a bank, and a restaurant

PREVIOUS CASES/ZONING HISTORY

Ordinance No. 5017 was adopted by the Board of Supervisors on November 12, 1947 and rezoned the subject property to C-1.

Plot Plan No. 34068 was approved in October of 1985 and a revised approval was issued in June of 1985 for the establishment of the commercial center and parking lot. There are several other approvals listed under this case number that established various uses within the center. An approval dated in August of 1999 authorized the 3,200-square-foot expansion of the commercial center building to the southeastern corner of the property. The subject restaurant is located in this expansion area. In December of 2000, a restaurant was approved within the current tenant space ("O") with an occupancy load determination of 31.

Plot Plan No. 201401008 was approved by the Director on December 4, 2014 for one wall sign and one cabinet sign advertising the Tofu Love Restaurant.

Request for Service No. 14-0007121 is a Zoning Enforcement violation case opened on November 5, 2014 in response to complaints about unpermitted uses and signage within the shopping center.

ENVIRONMENTAL DETERMINATION

Los Angeles County ("County") Staff recommends that this project qualifies for a Categorical Exemption (Class 1 Exemption, Existing Facilities) under the California Environmental Quality Act (CEQA) and the County environmental guidelines. The Class 1 Categorical Exemption allows for the operation of existing facilities involving negligible or not expansion beyond that existing at the time of the lead agency's determination. No expansions to the existing structure and no intensification of use are proposed. Therefore, staff recommends that the Hearing Officer determine that the project is categorically exempt from CEQA.

STAFF EVALUATION

General Plan/Community Plan Consistency

The project site is located within the Major Commercial land use category of the Countywide General Plan. This designation is intended for central business districts, regional office complexes, major shopping malls and centers, major commercial recreation facilities, and a range of mixed commercial retail and service activities. The existing commercial center is located along Foothill Boulevard and there are several commercial centers located on the surrounding properties. The proposed alcohol sales will be incidental to the restaurant and therefore are consistent with the permitted uses of the underlying land use category. The sale of alcoholic beverages is ancillary to the commercial business and is therefore consistent with the allowed uses of the underlying land use category.

The following policy of the General Plan is applicable to the proposed project:

- *Maintain and conserve sound existing development. (Policy 20, Page I-21)*

The commercial building was constructed in 1985 and there has been a restaurant occupying the space for approximately 14 years. The addition of beer and wine

sales within the restaurant will help to sustain the restaurant operation at this location.

Zoning Ordinance and Development Standards Compliance

Pursuant to section 22.28.110 of the County Code, an approved Conditional Use Permit is required in the C-1 zone for the sale of alcoholic beverages for on-site consumption. The applicant proposes to sell beer and wine for on-site consumption within the existing restaurant with a Type 41 license. Pursuant to section 22.28.120 of the County Code, establishments in the C-1 zone are subject to the following development standards:

- Lot Coverage and Landscaping
Maximum lot coverage is 90 percent of the net area and a minimum of 10 percent of the net area shall be landscaped with a lawn, shrubbery, flowers and/or trees, which shall be continuously maintained in good condition. The approval of Plot Plan No. 34068 included a note specifying that 4,835 square feet of landscaping would be required which is 10 percent of the lot area indicated on the plan. No changes to the landscaping have changed since this approval.
- Parking
Section 22.52.1110 requires restaurants to maintain one automobile parking space for each three persons based on the occupant load as determined by the County Engineer. The commercial center was developed with a parking ratio of 1 space for every 400 square feet of retail or office area. In December of 2000, tenant space "O" was converted to a restaurant with an occupancy load determination of 31. No changes to the use or occupancy load of the restaurant are requested as part of this application.
- Setbacks
Front and/or corner side yards are provided equal to a distance of 20 feet where property adjoins a major highway. Foothill Boulevard is classified as a major highway and the 1999 approval of Plot Plan No. 34068 depicts a building setback of 20 feet. Therefore, the site is in compliance with this requirement.
- Architectural Design
The architectural and general appearance of all such commercial buildings and grounds be in keeping with the character of the neighborhood and such as not to be detrimental to the public health, safety and general welfare of the community in which such use or uses are located. The existing building has an earth tone color pallet which is consistent with other buildings along Foothill Boulevard. Buildings in the area are mostly one-story or two-story in height; therefore, the building's size is also consistent with other buildings in the area.
- Height
The building or structure shall not exceed a height of 35 feet above grade, excluding signs which are permitted by part 10 of chapter 22.52, chimneys, and rooftop antennas. The 1999 approval of Plot Plan No. 34068 includes building

elevations that measure up to 30 feet at the highest point. Therefore, the building is in compliance with this development standard.

- Outside Display

All display shall be located entirely within an enclosed building, with certain exceptions, unless otherwise authorized by a temporary use permit. The applicant is not proposing outside display or storage as part of this request.

This project is located within the La Crescenta-Montrose Community Standards District ("CSD"). The exemptions to the development standards for this CSD are listed in subsection "C" of County Code section 22.44.139. One of the exemptions is for "buildings or building additions for which a valid building permit was issued prior to March 7, 2006, provided that such building permit has not expired prior to the effective date of the ordinance creating this CSD." The commercial center was constructed in 1985 and the restaurant was established in 2000. Since no new development is proposed as part of this project, the addition of alcohol sales will not trigger the review of current development standards listed in the CSD.

Site Visit

Staff conducted a site visit on September 16, 2014, and found that the plans are consistent with the site. There are two sensitive uses within the shopping center including a kid's gym and a charter school. The charter school is located three tenant spaces from the restaurant. Staff spoke with the Regional Supervisor for the charter school who stated that he has no problem with the addition of alcohol sales within the restaurant. According to the Regional Supervisor, many of the other charter schools are located near businesses selling alcohol for both on-site and off-site consumption and they have not had any problems. However, the charter school may be relocating to a nearby commercial building. Another tenant, located in unit "H," also indicated support for the project and mentioned that the restaurant is a good operator.

Burden of Proof

The applicant is required to substantiate all facts identified by section 22.56.040 and 22.56.195 of the County Code. The Burden of Proof with applicant's responses is attached. Staff is of the opinion that the applicant has met the burden of proof.

Neighborhood Impact/Land Use Compatibility

The subject property is located along a commercial corridor with a variety of commercial uses along both sides of Foothill Boulevard. This restaurant has been authorized in the subject tenant space since 2000 and the building was constructed in 1985. There are sensitive uses within a 600-foot radius of the subject property including a kid's gymnasium called "Playhouse4Kids" and a charter school called "Options for Youth" that are both located within the same commercial center. However, the Regional Supervisor for the charter school indicated that they will be relocating soon and do not have concerns about the alcohol sales. The kid's gymnasium location was established without the benefit of an approval from the Department of Regional Planning and there is an open zoning enforcement case concerning this unpermitted use as well as several

others uses within the shopping center. The other sensitive use is a preschool located to the south of the subject property approximately 600 feet away. Foothill Boulevard provides a buffer between the restaurant and the preschool.

An undue concentration of alcoholic beverage licenses does not exist within Census Tract 3002. There are four other businesses selling alcohol within 500 feet of the subject establishment. However, all of these other licenses are for off-site consumption only. There are three Type 20 licenses for beer and wine sales for off-site consumption which include the food mart associated with the Shell gas station to the southeast, the La Crescenta Han Kook Market to the northwest, and the Walgreens pharmacy store to the southeast. There is one Type 21 license to sell a full line of alcohol for off-site consumption that is located at Christie's Liquor to the southeast of the site.

This property is located within a high crime reporting district. However, the Sheriff provided a summary of calls for service to this property within the last five years and indicated that there was only one call for service for the subject establishment and it was "routine in nature." The applicant has also indicated that there are four security cameras within the restaurant. Staff is of the opinion that with the proposed draft conditions, the sale of alcohol within the existing restaurant will not adversely affect the health, peace, comfort or welfare of persons residing or working in the area, or endanger or otherwise constitute a menace to the public health, safety or general welfare.

COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS

Correspondence dated October 8, 2014 was received from the Los Angeles County Sheriff's Department Crescenta Valley Station. According to the letter, a five year query of calls for service identified 60 calls for service within the shopping center and only one call for this tenant space. All of the calls were considered "routine in nature with no significant issues." The Crescenta Valley Sheriff's Station indicated that it does not oppose the approval of this CUP.

OTHER AGENCY COMMENTS AND RECOMMENDATIONS

There are currently no California Department of Alcoholic Beverage Control ("ABC") licenses for the sale of alcohol for on-site consumption in this census tract, five are allowed. According to ABC, the addition of a license to sell beer and wine at the subject location would not cause an undue concentration of licenses within the census tract. Statistical data from ABC's report indicates that the site of the subject request is located in a high crime reporting district. The subject property is in Reporting District 1286 and Census Tract 3002. The average number of offenses is 85.7 and the actual number of crimes reported for District 1286 is 146. Therefore, ABC requires a finding of public convenience or necessity from the applicant in order to issue authorization to allow for alcohol sales. The granting of this CUP to sell a beer and wine for on-site consumption at an existing restaurant will serve as a public convenience to the surrounding neighborhood and patrons of the establishment, and is a complementary use for the restaurant.

LEGAL NOTIFICATION AND PUBLIC OUTREACH

Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper, property posting, library posting and DRP website posting.

PUBLIC COMMENTS

Staff received a letter from the Crescenta Valley Town Council dated December 9, 2014 that expressed support for the project.

FEES/DEPOSITS

If approved, fees identified in the attached project conditions will apply unless modified by the Hearing Officer.

STAFF RECOMMENDATION

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing:

Staff recommends **APPROVAL** of Project Number R2014-02292-(5), Conditional Use Permit No. 201400102 Number subject to the attached conditions.

SUGGESTED APPROVAL MOTION:

I, THE HEARING OFFICER, CLOSE THE PUBLIC HEARING AND FIND THAT THE PROJECT IS CATEGORICALLY EXEMPT PURSUANT TO STATE AND LOCAL CEQA GUIDELINES.

I, THE HEARING OFFICER, APPROVE CONDITIONAL USE PERMIT NUMBER 201400102 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.

Prepared by Kristina Kulczycki, Regional Planning Assistant II, Zoning Permits East, Section

Reviewed by Maria Masis, Supervising Regional Planner, Zoning Permits East Section

Attachments:

Draft Findings, Draft Conditions of Approval

Applicant's Burden of Proof statement

Correspondence

Site Photographs

Site Plan, Land Use Map

MM:KK

1/5/15

**DRAFT FINDINGS OF THE HEARING OFFICER
AND ORDER
COUNTY OF LOS ANGELES
PROJECT NO. R2014-02292-(5)
CONDITIONAL USE PERMIT NO. 201400102**

1. The Los Angeles County ("County") Hearing Officer conducted a duly-noticed public hearing in the matter of Conditional Use Permit No. 201400102 ("CUP") on February 3, 2015.
2. The permittee, Jae Seob Kim ("permittee"), requests the CUP to authorize the sale of beer and wine for on-site consumption within an existing restaurant ("Project") on a property located at 3115 Foothill Boulevard, Unit "O" in the unincorporated community of La Crescenta-Montrose ("Project Site").
3. Pursuant to Los Angeles County Code ("County Code") section 22.28.110, the sale of alcoholic beverages for on-site consumption in connection with the operation of an existing restaurant is permitted in the C-1 (Restricted Business) zone provided a CUP is first obtained. Additionally, pursuant to section 22.56.195.A.(1), establishments that do not currently, but propose to, sell alcoholic beverages, for either on-site or off-site consumption require a CUP. To sell beer and wine for on-site consumption, the permittee must first obtain a Type 41 license from the California Department of Alcoholic Beverage Control ("ABC").
4. The Project Site is 1.4 gross acres (1.1 net acres) in size and consists of one legal lot. The restaurant is located in a triangular-shaped tenant space in the southeastern corner of the lot and has an area of 1,800 square feet.
5. Project Site is located in the Montrose Zoned District and is currently zoned C-1 (Restricted Business).
6. The Project Site is located within the Major Commercial land use category of the Countywide General Plan ("General Plan") Land Use Policy Map.
7. Surrounding Zoning within a 500-foot radius includes:
 - North: R-1 (Single-Family Residence) and R-3 (Limited Multiple Residence)
 - South: R-2 (Two-Family Residence), C-1, C-3-BE (Unlimited Commercial-Billboard Exclusion), and M-1-DP-U/C-BE (Light Manufacturing-Development Program-Unilateral Contract-Billboard Exclusion)
 - East: R-1, R-2, R-3, and C-1
 - West: C-1 and the City of Glendale
8. Surrounding land uses within a 500-foot radius include:
 - North: Single-family and multi-family residential
 - South: Single-family residential, multi-family residential, retail, a self-service storage facility, a gas station, a towing yard, and a preschool

East: Single-family residential, multi-family residential, retail, and offices
West: Retail, offices, a bank, and a restaurant

9. There are currently four businesses selling alcohol within a 500-foot radius of the subject property. However, all of these other licenses are for off-site consumption only. There are three Type 20 licenses for beer and wine sales for off-site consumption which include the food mart associated with the Shell gas station to the southeast, the La Crescenta Han Kook Market to the northwest, and within the Walgreens pharmacy store to the southeast. There is one Type 21 license to sell a full line of alcohol for off-site consumption that is located at Christie's Liquor to the southeast of the site.
10. The Project Site was rezoned in 1947 to C-1 with the adoption of Ordinance No. 5017. In October of 1985 Plot Plan No. 34068 was approved for the development of a commercial center and a parking lot. A revised approval was issued in June of 1985 and an addition was authorized in 1999 that included the subject tenant space. A restaurant was first established in the subject tenant space in December of 2000.
11. The site plan for the Project depicts a diamond-shaped property with an easement adjoining the western property line and Foothill Boulevard to the south. There is a 46-car parking lot in the front of the property adjacent to Foothill Boulevard and 13 additional covered parking spaces in the southeastern corner of the property underneath the subject restaurant. The commercial building borders the northern and eastern property lines and contains 15 tenant spaces.
12. The Project Site is accessible via Foothill Boulevard to the south. Primary access to the Project Site will be via an entrance/exit on Foothill Boulevard. Secondary access to the Project Site will be via an entrance/exit on the easement adjacent to the western property line.
13. There are 59 existing parking spaces available on the subject property.
14. On October 9, 2014, prior to the Hearing Officer's public hearing on the Project, the permittee presented the proposed project to the Land Use Committee of the Crescenta Valley Town Council. On October 16, 2014, the Crescenta Valley Town Council reviewed the Project. Staff received a letter in support of the project that was submitted by the Crescenta Valley Town Council on December 9, 2014. No other correspondence was received from the public regarding the Project.
15. The County Sheriff's Department ("Sheriff") indicated there has only been one call for service for this tenant and it was "routine in nature with no significant issues." The Sheriff does not oppose the approval of this CUP.
16. ABC provided statistics for the crime reporting district and census tract associated with the Project Site. Five licenses are allowed in the census tract and there are currently no licenses for on-site consumption. The total number of offenses in Reporting District 1286 is 146 and the average number of offenses per district is 85.7; therefore, the Project Site is located in a high crime reporting district. ABC

indicated that there is an undue concentration of licenses in this area and the applicant will be required to demonstrate that a public convenience or necessity would be served by the issuance of the license.

17. Prior to the Hearing Officer's public hearing on the Project, Regional Planning staff determined that the Project qualified for a Class 1, Existing Facilities, categorical exemption from the California Environmental Quality Act (Public Resources Code section 21000, et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County, because the Project involved the sale of alcoholic beverages in an existing restaurant, with negligible or no expansion of use beyond that which was previously existing.
18. Pursuant to the provisions of sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the Project's public hearings by mail, newspaper, and property posting.
19. No correspondence was received from the public regarding the Project.
20. *To be inserted after the public hearing to reflect hearing proceedings.*
21. The Hearing Officer finds that the Project is consistent with the goals and policies of the General Plan, based on the following. The Major Commercial land use designation is intended for central business districts and a range of mixed commercial retail and service activities. The existing commercial center is located adjacent to Foothill Boulevard and contains various commercial retail and service activities, including the restaurant. The sale of beer and wine is ancillary to the business and is therefore consistent with the allowed uses of the underlying land use category.
22. The Hearing Officer finds that the Project is consistent with the C-1 zoning classification because the sale of alcohol in conjunction with the restaurant use is permitted in the C-1 zone with a CUP pursuant to section 22.28.110 of the County Code.
23. Conditions will limit the hours of alcohol sales to between 11:00 a.m. and 10:00 p.m. Furthermore, conditions will provide additional safety measures, such as the maintenance of on-site security cameras; and prohibit coin-operated amusements in an effort to ensure that the business will continue to operate in a safe, neighborly manner. Based on the foregoing, the Hearing Officer finds that the Project will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the Project Site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
24. The commercial center was constructed in 1985 and a restaurant was permitted in 2000. The approvals established under Plot Plan No. 34068 included review of

development standards including setbacks, landscaping, building height, lot coverage, and parking. No changes to the building or parking lot are proposed as part of the Project. Therefore, based on the foregoing, the Hearing Officer finds that the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

25. The Project Site is accessible from Foothill Boulevard, an existing major highway, and is located along an existing Class II bike path as classified in the 2012 Bicycle Master Plan adopted by the Board of Supervisors on March 13, 2012. There is also a bus stop located approximately 500 feet to the west of the Project Site on the corner of Foothill Boulevard and Pennsylvania Avenue. Based on the foregoing, the Hearing Officer finds that the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.
26. The Project Site is located along a commercial corridor containing a mixture of commercial and institutionally-zoned properties. There are sensitive uses within a 600-foot radius of the Project Site including a kid's gymnasium, a charter school, and a preschool. However, the gymnasium and the charter school were established without authorization from Regional Planning. The preschool is located approximately 600 feet from the Project Site and Foothill Boulevard provides a buffer between the two uses. Based on the foregoing, the Hearing Officer finds that the requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground, or any similar use within a 600-foot radius.
27. The Hearing Officer finds that the requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect said area. There are residentially-zoned properties to the north of the subject property. However, the building abuts the northerly property line and acts as a buffer between the subject tenant space and the residences. Furthermore, the restaurant is in the tenant space farthest from the residential area. The Project Site is also located adjacent to other commercial centers and is across the street from a large Orchard Supply Hardware store.
28. There are four other licenses within 500 feet of the Project Site; all of these licenses permit the sale of alcohol for off-site consumption. No other licenses in the area have been authorized for the sale of alcohol for on-site consumption. ABC allows for a maximum of five licenses permitting the sale of alcohol for on-site consumption in the census tract and there are currently no active licenses. Therefore, the Hearing Officer finds that the requested use at the proposed location does not result in an undue concentration of similar premises.
29. Conditions will prohibit live entertainment and restrict the hours of alcohol sales. Additionally, the local community group has expressed their support for the Project.

Therefore, the Hearing Officer finds that the requested use at the proposed location will not adversely affect the economic welfare of the nearby community.

30. A site visit by staff from the Department of Regional Planning confirmed that the restaurant is well maintained. Conditions related to property maintenance will ensure that the exterior appearance of the building will remain clean and free of graffiti. Based on the foregoing, the Hearing Officer finds that the exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within the neighborhood.
31. The Hearing Officer finds that to ensure continued compatibility between the Project and the surrounding land uses, it is necessary to limit the Conditional Use Permit to fifteen (15) years.
32. The Hearing Officer finds that pursuant to sections 22.60.174 and 22.60.175 of the County Code, the community was properly notified of the public hearing by mail, newspaper, and property posting. Additionally, the Project was noticed and case materials were available on Regional Planning's website and at the La Crescenta Library. On December 16, 2014, a total of 512 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 1,000-foot radius from the Project Site, as well as eight notices to those on the courtesy mailing list for the Montrose Zoned District and to any additional interested parties.
33. The location of the documents and other materials constituting the record of proceedings upon which the Hearing Officer's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits East Section, Department of Regional Planning.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES THAT:

- A. The proposed use with the attached conditions will be consistent with the adopted General Plan.
- B. The proposed use at the site will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
- C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

- D. The proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.
- E. The requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground, or any similar use within a 600-foot radius.
- F. The requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect said area.
- G. The requested use will not result in an undue concentration of similar premises.
- H. The requested use at the proposed location will not adversely affect the economic welfare of the nearby community.
- I. The exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within the neighborhood.

THEREFORE, THE HEARING OFFICER:

- 1. Finds that the Project is exempt from the California Environmental Quality Act pursuant to section 15301 of the State CEQA Guidelines (Class 1, Existing Facilities categorical exemption); and
- 2. Approves Conditional Use Permit No. 201400102, subject to the attached conditions.

MM:KK
1/5/15

c: Hearing Officer, Zoning Enforcement, Building and Safety

**DRAFT CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. R2014-02292-(5)
CONDITIONAL USE PERMIT NO. 201400102**

PROJECT DESCRIPTION

The project is for a Conditional Use Permit ("CUP") to authorize the sale of beer and wine for on-site consumption within an existing restaurant subject to the following conditions of approval:

GENERAL CONDITIONS

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 7, and until all required monies have been paid pursuant to Condition No. 10. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, and 9, shall be effective immediately upon the date of final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.
4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense. If the County fails to promptly notify the permittee of any claim, action, or proceeding, or if the County fails to cooperate reasonably in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
7. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall **record the terms and conditions** of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
8. **This grant shall terminate on February 3, 2030.** Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, whether or not the permittee proposes any modifications to the use at that time, the permittee shall file a new Conditional Use Permit application with Regional Planning, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least six (6) months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event that the permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.
9. This grant shall expire unless used within two (2) years from the date of final approval of the grant. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.
10. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. The permittee shall deposit with the County the sum of **\$2,000.00**. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate

Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for five (5) annual inspections followed by five (5) biennial (one every other year) inspections. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

11. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
12. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of said department.
13. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
14. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").
15. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
16. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of notification

of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

17. The subject property shall be developed and maintained in substantial conformance with the plans marked Exhibit "A." If changes to any of the plans marked Exhibit "A" are required as a result of instruction given at the public hearing, **three (3) copies** of a modified Exhibit "A" shall be submitted to Regional Planning by **April 6, 2015**.
18. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **three (3) copies** of the proposed plans to the Director for review and approval. All revised plans must substantially conform to the originally approved Exhibit "A". All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.

PERMIT SPECIFIC CONDITIONS

19. The conditions of this grant shall be retained on the premises at all times and shall be immediately produced upon request of any County Sheriff, Zoning Inspector or Department of Alcoholic Beverage Control agent. The manager and all employees of the facility shall be knowledgeable of the conditions herein.
20. Loitering shall be prohibited on the subject property, including loitering by employees of the subject property. Signage in compliance with Section 22.52 Part 10 of the County Code shall be placed on the premises indicating said prohibition. Employees shall be instructed to enforce these regulations and to call local law enforcement if necessary.
21. The permittee, and all managers and designated employees of the establishment, who directly serve or are in the practice of selling alcoholic beverages, shall participate in the LEAD (Licensee Education on Alcohol and Drugs) Program provided by the State of California Department of Alcoholic Beverage Control. All new designated employees shall be required to attend. The licensee shall display a certificate or plaque in a publicly accessible area of the establishment such as the lobby, indicating they have participated in this program. Proof of completion of the facilities' training program by employees, the licensee and all managers shall be available upon request.
22. The permittee shall not advertise the sale of alcoholic beverages on the exterior of any structure on the subject property including windows, walls, fences or similar structures.
23. All regulations of the State of California prohibiting the sale of alcoholic beverages to minors shall be strictly enforced.
24. The permittee shall post or otherwise provide telephone numbers of local law enforcement agencies and taxicab companies at or near the cashier, or similar

public service area. Such telephone numbers shall be visible by and available to the general public.

25. There shall be no consumption of alcoholic beverages outside the designated areas of the subject facility. The permittee shall instruct all designated employees, who directly serve or are in the practice of selling alcoholic beverages, regarding this restriction. Employees shall be instructed to enforce such restrictions and to call local law enforcement as necessary.
26. The permittee shall develop and implement a Designated Driver program (i.e. free soft drinks or coffee to a designated driver of a group). The permittee shall submit the program to the Director of Planning for approval prior to the approval of the Exhibit "A." A printed two-sided card explaining this program shall be placed on all tables in the restaurant or an explanation regarding the program shall be printed on the menu.
27. All servers of alcoholic beverages must be at least 18 years of age.
28. There shall be no music or other noise audible beyond the restaurant premises.
29. No live entertainment, dancing, or dance floor is authorized in or outside the premises.
30. Alcoholic beverages shall be sold to customers only when food is ordered and consumed within the subject restaurant.
31. Food shall be continuously provided during operating hours.

PROJECT SITE SPECIFIC CONDITIONS

32. This grant shall authorize the sale of beer and wine for on-site consumption within the existing restaurant.
33. This grant authorizes the daily sale of alcoholic beverages between the hours of 10:00 a.m. and 10:00 p.m. Monday through Thursday, 10:00 a.m. and 11:00 p.m. on Friday, and 8:00 a.m. to 11:00 p.m. on Saturday and Sunday.
34. At least one on-site security camera shall be maintained in good operating condition near the front and side entrances of the restaurant and shall be in operation during regular business hours. Footage from the security cameras shall be retained for at least one month, during which time it shall be made available to law enforcement upon request.
35. All exterior lighting shall be hooded and directed away from neighboring properties to prevent direct illumination and glare, and shall be turned off within thirty minutes after conclusion of activities, with the exception of sensor-activation security lights and/or low level lighting along all pedestrian walkways leading to and from the parking lot.

36. The restaurant shall not contain any coin-operated amusements, such as pool tables, juke boxes, video games, or other similar devices.
37. No outside storage is permitted on the subject property.
38. Temporary signs or banners shall not be displayed on the exterior walls or fascia of the building, or on any fence.

Conditional Use Permit - Burden of Proof

Proposed Project Address: ***3115 Foothill Blvd., #O,
La Crescenta, CA 91214***

a. Describe that the requested use at the location will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area.

- The project site is classified as Major Commercial under Los Angeles County General Plan. Typical use patterns include central business districts, regional office complexes, major shopping malls and centers, major commercial recreation facilities and a range of mixed commercial retail and service activities. The subject restaurant and proposal to sell beer and wine is consistent with the General Plan land use designation.
- The proposed 1,828 square-foot restaurant space is located within an existing commercial building in a shopping center known as Foothill Center. This specific tenant space is situated on top of a 13-spaced interior lot. The site has two, free-standing commercial structures and the use co-exists with a variety of commercial activities comprised of a total of thirteen (15) tenant spaces. The use adds to the diversity and land use pattern in the vicinity.
- The proposed request to sell beer and wine for on-site consumption auxiliary to an existing full-menu restaurant currently in operation and is not expected to invade or disrupt sound existing residential neighborhoods nor conflict with established community land use, parking and circulation patterns.

b. Describe that the requested use at the location will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site.

- The immediate vicinity of the subject site contains a mix of commercial and residential land uses. The existing restaurant and shopping center is consistent with the appearance of surrounding uses in the area.
- The architectural and general appearance of the shopping plaza and subject property is compatible with the character of the neighborhood and not detrimental to the public health, safety and general welfare of the surrounding community.

c. Describe that the requested use at the location will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

- There are three (3) sensitive uses within a 600-foot radius of the subject property. However, the proposed use is appropriate along with various commercial and residential uses and there is no evidence that the proposed use would constitute a menace to the public health, safety or general welfare; no more than the existing uses in the general area. The applicant simply desires to provide an additional amenity to patrons in the form of a beer and wine service incidental to the full menu service. This alcoholic beverage service is a practical extension of the business activity and a fundamental part of the restaurant and its meal service. The applicant merely seeks to provide an alternative beverage inventory through the conditional use process in order to maintain a regular clientele base, stabilize the business and continue to make it a viable business entity.
- These sensitive uses are exclusively for educational instruction during daytime hours which will not overlap with the proposed use hours and also located in safe distance from the subject property and has sufficient buffer through being separated by physical development and the widths of the roadways from the requested use.

d. Describe that the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

- The site plan depicts the existing 21,134 sq. ft. shopping center building housing the 1,828 sq. ft. restaurant, identified as "Lease Space #O". The subject site satisfies the parking requirement by providing a total of fifty-nine (59) parking spaces; forth-six (46) surface parking spaces and thirteen (13) parking spaces partially under one of the commercial buildings with vehicular egress onto Foothill Boulevard.
- Only about 43 percent of the subject site (approximately 21,134 sq. ft.) is occupied by structures, where the applicant's site plan complies with this requirement.
- The 10 percent of subject site (approximately 4,835 sq. ft.) is landscaped by bushes, grass, trees, and other plants, the location of which is indicated on the site plan.

- The applicant's site plan shows more than 20 feet of setback from the street to the shopping plaza structure as a result of the sidewalk, landscaping, and parking lot.
- The shopping plaza does not exceed 35 feet in height where building height varies in height from 12 feet and 21 feet above grade.
- Local commercial signs and graphic displays are generally confined to the façade surface of the business establishment, and does not project above the roofline or disrupt the architectural design of the structure.
- There exist no off-site signs and free-standing signs only where they are determined to be aesthetically and functionally appropriate.
- No outside storage is proposed for use.

e. Describe that the proposed site is adequately served by highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

- Foothill Boulevard, adjoining the subject property to the south, is a designated Major Highway, dedicated to a width of 100-feet and improved with curb, gutter, side walk and street lights.
- Vehicular access to the site is via a one-way driveway along the Foothill Boulevard frontage, leading to 46 surface parking spaces and 13 parking spaces partially under one of the commercial buildings, with vehicular egress onto Foothill Boulevard. The fronting major roadway is adequate in width and pavement type to carry the quantity and kind of traffic generated by the continued use of the restaurant and the requested use. The inclusion of beer and wine should not increase trip generation to and from the site, given the basic use of the site is not drastically altered by the subject request. There is also public transportation within walking distance of the subject site at bus stops along Foothill Boulevard.

ALCOHOLIC BEVERAGE SALES BURDEN OF PROOF

3115 FOOTHILL BLVD. STE O, LA CRESCENTA, CA 91214

ABC License Type No.: Type 41

A. That the requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground, or any similar use within a 600-foot radius.

- There are three (3) sensitive uses within a 600-foot radius of the subject property: Options for Youth High School, Cloud Child Development Pre-school, and Playhouse 4 Kids indoor playground.
- The Tofu Love restaurant operates between 11 a.m. to 10 p.m. Monday through Saturday and 11 a.m. to 9:30 p.m. on Sundays, which is most frequented by patrons in the evening hours when the educational and day care uses are not in operation. As a result, the sale of beer and wine for on-site consumption would not adversely affect this sensitive use.

B. That the requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect said area.

- The subject premise is located in the southeast corner of the ownership and it is oriented in a southerly direction, toward the Major Highway. It is further separated from the residential units by the rear walls of the commercial building on the site which acts as a static buffer between the commercial uses and insulates the proposed use from residential uses.

C. The requested use at the proposed location will not result in an undue concentration of similar premises; a separation of not less than 500 feet shall not be construed as undue concentration; provided, however, that the planning agency may find that the public convenience or necessity for an additional facility selling alcoholic beverages for off-site consumption, outweighs the fact that it is located within a 500-foot radius of any other facility selling alcoholic beverages for either

on-site or off-site consumption, in which case the shelf space devoted to alcoholic beverages shall be limited to not more than five percent of the total shelf space in the establishment.

- Within the 500-foot radius of the subject site, there are four businesses with (3) off-sale beer and wine license and (1) general license. There is a gasoline service station with food mart, market, pharmacy, and a liquor store that operates with the above referenced licenses, respectively. Unlike the above referenced four alcohol permits, beer and wine would only be ordered in conjunction with food and consumed on-site.
- The proposed location does not have conflicting operation—restaurant with on-site beer and wine—and will not result in an undue concentration of similar establishments to serve the residents in the nearby vicinity.
- There have been no major enforcement issues on the property.

D. That the requested use at the proposed location will not adversely affect the economic welfare of the surrounding community.

- The requested use is primarily a small existing restaurant with beer and wine sales incidental to full dine-in menu/meal service, where the requested use will not adversely affect the economic welfare of the nearby community. The request use will not involve any live entertainment, patron dancing and/or fixed bar which will allow the applicant to mainly focus on food services rather than seeking revenue mainly dependent on alcoholic beverage services and sales.

E. That the exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within said neighborhood.

- The architectural and general appearance of the shopping plaza and subject property is compatible with the character of the neighborhood and not detrimental to the public health, safety and general welfare of the surrounding community.
- The immediate vicinity of the subject site contains mix of commercial and residential land uses. The existing restaurant and shopping center is consistent with the appearance of surrounding uses in the area.

- The shopping plaza does not exceed 35 feet in height; structures vary in height from 12 feet and 21 feet above grade.
- Only about 47 percent of the subject site is occupied by structures, where the applicant's site plan complies with this requirement.
- The subject site is landscaped by bushes, grass, trees, and other plants, the location of which is indicated on the site plan.
- Local commercial signs and graphic displays are generally confined to the façade surface of the business establishment, and does not project above the roofline or disrupt the architectural design of the structure.
- There exist no off-site signs and free-standing signs only where they are determined to be aesthetically and functionally appropriate.
- No outside storage is proposed for use.

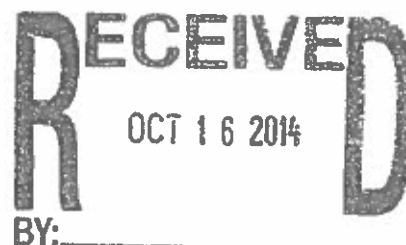


County of Los Angeles
Sheriff's Department Headquarters

*4700 Ramona Boulevard
Monterey Park, California 91754-2169*



October 8, 2014



Ms. Kristina Kulczycki
Regional Planning Assistant II
Zoning Permits East
300 W. Temple Street
Los Angeles, CA. 90012

Dear Ms. Kulczycki,

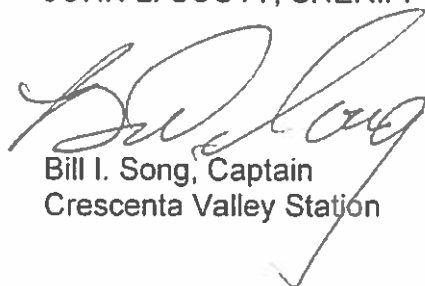
In regard to Conditional Use Permit 2014-02292, the Crescenta Valley Sheriff's Station has reviewed calls for service for Tofu Love Restaurant located at 3115 Foothill Boulevard Suite O, La Crescenta, California 91214.

The business is located in a small shopping plaza with numerous other businesses. Law enforcement services from April 2009 to October 2014 show a total of sixty (60) calls for service at the plaza, but only one (1) call for service at the CUP location. All the calls for service were routine in nature with no significant issues.

Crescenta Valley Sheriff's Station does not oppose the approval of this Conditional Use Permit.

Sincerely,

JOHN L. SCOTT, SHERIFF



Bill I. Song, Captain
Crescenta Valley Station

INFORMATION AND INSTRUCTIONS -

SECTION 23958.4 B&P

Instructions This form is to be used for all applications for original issuance or premises to premises transfer of licenses.

- Part 1 is to be completed by an ABC employee, given to applicant with pre-application package, with copy retained in holding file or applicant's district file.
- Part 2 is to be completed by the applicant, and returned to ABC.
- Part 3 is to be completed by the local governing body or its designated subordinate officer or body, and returned to ABC.

PART 1 - TO BE COMPLETED BY ABC

1. APPLICANT'S NAME

2. PREMISES ADDRESS (Street number and name, city, zip code)

3115 FOOTHILL BLVD., LA CRESCENTA, CA

3. LICENSE TYPE

ON-SALE

4. TYPE OF BUSINESS

Full Service Restaurant	Hofbrau/Cafeteria	Cocktail Lounge	Private Club
Deli or Specialty Restaurant	Comedy Club	Night Club	Veterans Club
Cafe/Coffee Shop	Brew Pub	Tavern: Beer	Fraternal Club
Bed & Breakfast:	Theater	Tavern: Beer & Wine	Wine Tasting Room
Wine only All			
Supermarket	Membership Store	Service Station	Swap Meet/Flea Market
Liquor Store	Department Store	Convenience Market	Drive-in Dairy
Drug/Variety Store	Florist/Gift Shop	Convenience Market w/Gasoline	
Other - describe:			

5. COUNTY POPULATION

6. TOTAL NUMBER OF LICENSES IN COUNTY

7. RATIO OF LICENSES TO POPULATION IN COUNTY

	On-Sale	Off-Sale	On-Sale	Off-Sale
8. CENSUS TRACT NUMBER	9. NO. OF LICENSES ALLOWED IN CENSUS TRACT			
3002	5			
	X On-Sale	Off-Sale	0	X On-Sale Off-Sale
10. NO. OF LICENSES EXISTING IN CENSUS TRACT				

11. IS THE ABOVE CENSUS TRACT OVERCONCENTRATED WITH LICENSES? (i.e., does the ratio of licenses to population in the census tract exceed the ratio of licenses to population for the entire county?)

Yes, the number of existing licenses exceeds the number allowed

X No, the number of existing licenses is lower than the number allowed

12. DOES LAW ENFORCEMENT AGENCY MAINTAIN CRIME STATISTICS?

X Yes (Go to Item #13) No (Go to Item #20)

13. CRIME REPORTING DISTRICT NUMBER

1286 - LASO

14. TOTAL NUMBER OF REPORTING DISTRICTS

557

15. TOTAL NUMBER OF OFFENSES IN ALL REPORTING DISTRICTS

47,758

16. AVERAGE NO. OF OFFENSES PER DISTRICT

85.7

17. 120% OF AVERAGE NUMBER OF OFFENSES

103

18. TOTAL NUMBER OF OFFENSES IN REPORTING DISTRICT

146

19. IS THE PREMISES LOCATED IN A HIGH CRIME REPORTING DISTRICT? (i.e., has a 20% greater number of reported crimes than the average number of reported crimes as determined from all crime reporting districts within the jurisdiction of the local law enforcement agency)

X Yes, the total number of offenses in the reporting district equals or exceeds the total number in item #17

No, the total number of offenses in the reporting district is lower than the total number in item #17

20. CHECK THE BOX THAT APPLIES (check only one box)

a. If "No" is checked in both item #11 and item #19, Section 23958.4 B&P does not apply to this application, and no additional information will be needed on this issue. Advise the applicant to bring this completed form to ABC when filing the application.

X b. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for a non-retail license, a retail bona fide public eating place license, a retail license issued for a hotel, motel or other lodging establishment as defined in Section 25503.16(b) B&P, or a retail license issued in conjunction with a beer manufacturer's license, or winegrower's license, advise the applicant to complete Section 2 and bring the completed form to ABC when filing the application or as soon as possible thereafter.

c. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for an off-sale beer and wine license, an off-sale general license, an on-sale beer license, an on-sale beer and wine (public premises) license, or an on-sale general (public premises) license, advise the applicant to take this form to the local governing body, or its designated subordinate officer or body to have them complete Section 3. The completed form will need to be provided to ABC in order to process the application.

Governing Body/Designated Subordinate Name:

FOR DEPARTMENT USE ONLY

PREPARED BY (Name of Department Employee)

P.HALPIN

PART 2 - TO BE COMPLETED BY THE APPLICANT (If box #20b is checked)

21. Based on the information on the reverse, the Department may approve your application if you can show that public convenience or necessity would be served by the issuance of the license. Please describe below the reasons why issuance of another license is justified in this area. You may attach a separate sheet or additional documentation, if desired. Do not proceed to Part 3.

22. APPLICANT SIGNATURE

23. DATE SIGNED

PART 3 - TO BE COMPLETED BY LOCAL OFFICIALS (If box #20c is checked)

The applicant named on the reverse is applying for a license to sell alcoholic beverages at a premises where undue concentration exists (i.e., an over-concentration of licenses and/or a higher than average crime rate as defined in Section 23958.4 of the Business and Professions Code). Sections 23958 and 23958.4 of the Business and Professions Code requires the Department to deny the application unless the local governing body of the area in which the applicant premises are located, or its designated subordinate officer or body, determines within 90 days of notification of a completed application that public convenience or necessity would be served by the issuance. Please complete items #24 to #30 below and certify or affix an official seal, or attach a copy of the Council or Board resolution or a signed letter on official letterhead stating whether or not the issuance of the applied for license would serve as a public convenience or necessity.

24. WILL PUBLIC CONVENIENCE OR NECESSITY BE SERVED BY ISSUANCE OF THIS ALCOHOLIC BEVERAGE LICENSE?

Yes

No

See Attached (i.e., letter, resolution, etc.)

25. ADDITIONAL COMMENTS, IF DESIRED (may include reasons for approval or denial of public convenience or necessity):

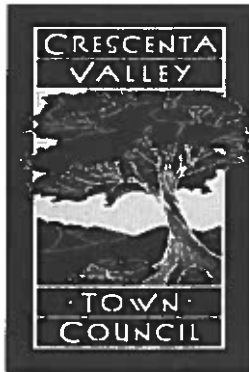
26. CITY/COUNTY OFFICIAL NAME

27. CITY/COUNTY OFFICIAL TITLE

28. CITY/COUNTY OFFICIAL PHONE NUMBER

29. CITY/COUNTY OFFICIAL SIGNATURE

30. DATE SIGNED



Crescenta Valley Town Council

December 9, 2014

Kristina Kulczycki
Regional Planning Assistant II
Zoning Permits East
Department of Regional Planning
kkulczycki@planning.lacounty.gov

Robbyn Battles
President

Harry Leon
Vice President

Michael Claessens
Recording Secretary

Danette Erickson
Treasurer

Cheryl Davis
Corresponding
Secretary

COUNCIL MEMBERS

Charles Beatty

Frank Beyt

Dr. Young Seok Suh

Kyle Studebaker

Leslie Dickson, alternate

Krista Smiley, alternate

Mariam Gabra, alternate

Re: Proj R2014-02292 - 3115 Foothill Blvd. Beer & Wine Application

Dear Ms. Kulczycki,

During the Crescenta Valley Town Council ("CVTC") meeting on November 20, 2014, the Town Council received a recommendation from its Land Use Committee to recommend approval, with conditions, of the Conditional Use Permit for onsite wine and beer sales for consumption for the above-referenced project.

The CVTC voted to accept the Land Use Committee's recommendations for approval, of this CUP with the following conditions:

- The applicant must remove any existing banners;
- The applicant applies for approval of or removes its existing signage; and
- The applicant agrees to reduce the occupancy load to 31 to address the issue of the parking load.

The CVTC Land Use Committee held a public forum regarding the above CUP on November 13, 2014, at 6:30 PM where they heard statements from the owner's representative. The Land Use Committee flyer'd the residences surrounding this project and did not receive much comment either for or against this CUP. There were no members of the public present to speak on this matter at either the Land Use or CVTC meeting.

Thank you for your consideration regarding our community.

Respectfully,

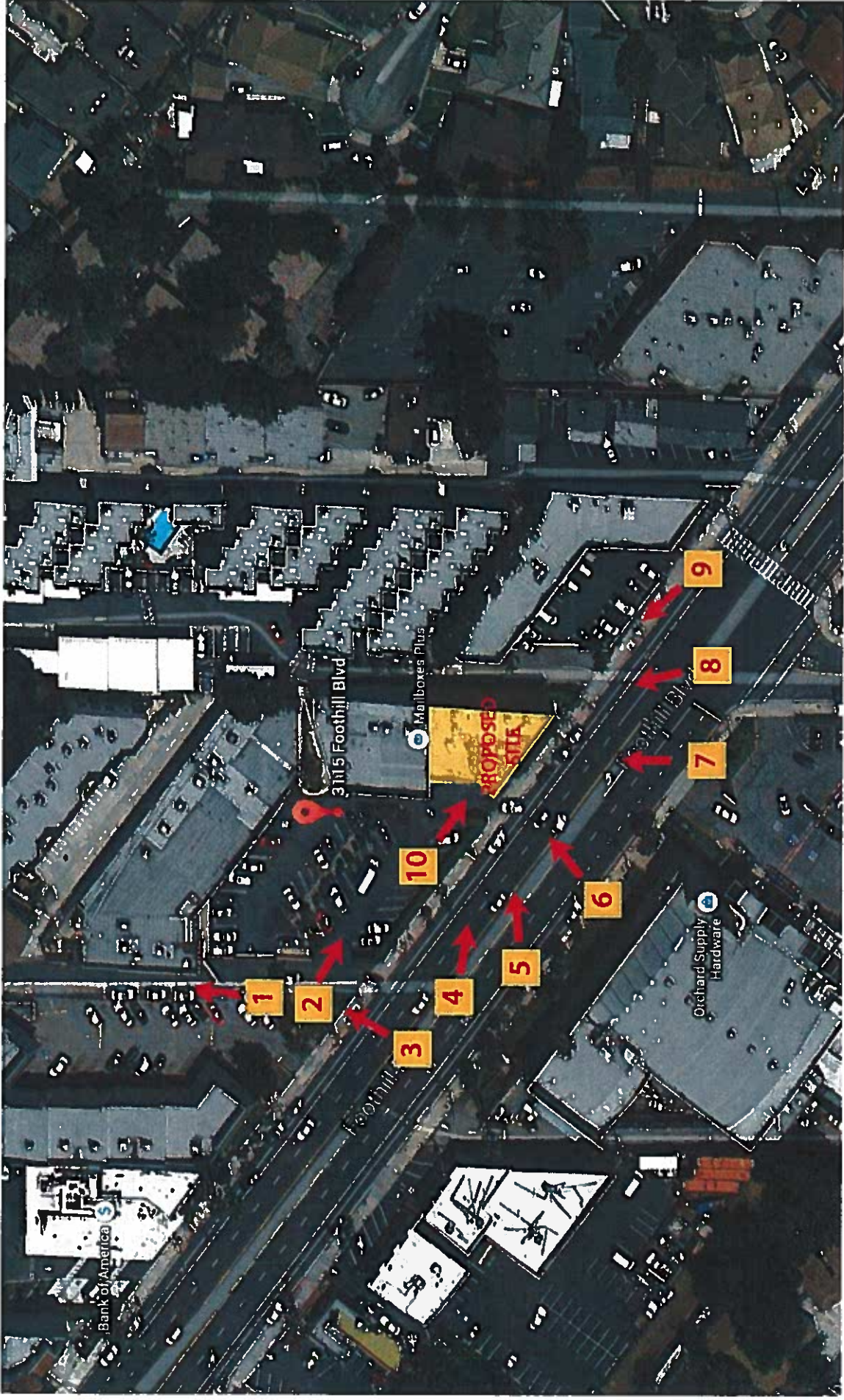
Robbyn Battles
President

cc: Julia Lee

"The Community that Cares"

PHOTO KEY MAP FOR SURROUNDING PHOTOGRAPHS

BLVD
31115 FOOTHILL AVE STE Q, LA CRESCENTA-MONTROSE, CA 91214



SURROUNDING PHOTOGRAPHS

3115 FOOTHILL BLVD, STE O, LA CRESCENTA-MONTROSE, CA 91214



KEY NO. 1



KEY NO. 2

SURROUNDING PHOTOGRAPHS

3115 FOOTHILL BLVD STE O, LA CRESCENTA-MONTROSE, CA 91214



KEY NO. 3



KEY NO. 4

SURROUNDING PHOTOGRAPHS

3115 FOOTHILL BLVD STE O, LA CRESCENTA-MONTROSE, CA 91214



KEY NO. 5



KEY NO. 6

SURROUNDING PHOTOGRAPHS

3115 FOOTHILL BLVD STE O, LA CRESCENTA-MONTROSE, CA 91214



KEY NO. 7



KEY NO. 8

SURROUNDING PHOTOGRAPHS

3115 FOOTHILL BLVD STE O, LA CRESCENTA-MONTROSE, CA 91214

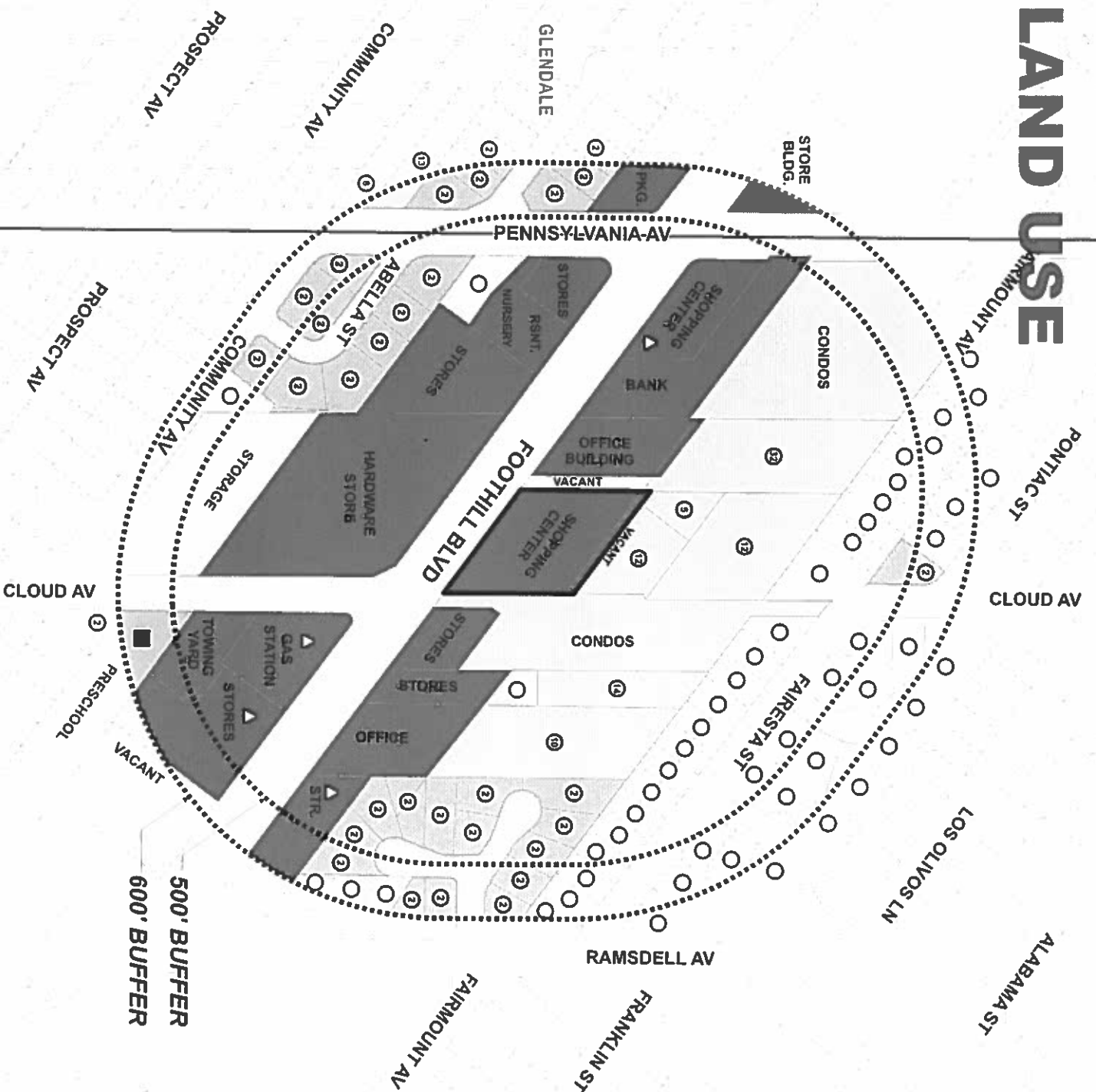


KEY NO. 9



KEY NO. 10

LAND USE



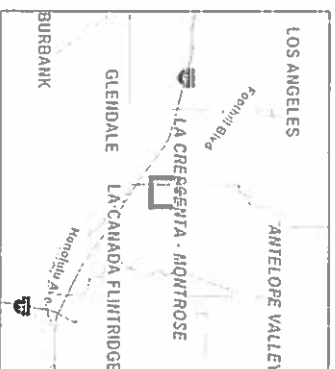
LAND USE 500 FT. RADIUS MAP / SENSITIVE USES - 600 FT. RADIUS

Proj. R2014-02292 (5)
RCUP 2014-00102

Legend

- SINGLE-FAMILY RESIDENCE
- ② MULTI-FAMILY RESIDENCE
- △ OFF-SITE ALCOHOL CONSUMPTION
- SENSITIVE USES
- SINGLE-FAMILY RESIDENCE
- TWO-FAMILY RESIDENCE
- MULTI-FAMILY RESIDENCE
- INSTITUTION (NON-PROFIT)
- COMMERCIAL
- LIGHT INDUSTRY
- VACANT

VICINITY MAP



0 40 80 160 240 320 Feet



LOS ANGELES COUNTY
Department of Regional Planning
320 W. Temple St.
Los Angeles, CA 90012